

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

ANN TRULOVE,

Plaintiff,

V.

CLIENT SERVICES, INC.,

Defendant.

Civil Action No. _____

COMPLAINT FOR DAMAGES FOR ABUSIVE DEBT COLLECTION

1. Plaintiff brings claims against Defendant for violations of the federal Fair Debt Collection Practices Act, 15 U.S.C. §§ 1692, *et seq.* (“FDCPA”), and under New Mexico consumer protection law.

Jurisdiction

2. This Court has jurisdiction under the FDCPA, 15 U.S.C. § 1692k(d), and under 28 U.S.C. §§ 1331, 1337 and 1367.

Parties

3. Plaintiff Ann Trulove resides in Farmington, New Mexico. She is a “consumer” as defined by 15 U.S.C. § 1692a(3). At all times relevant to this complaint, she resided in New Mexico.
4. Defendant Client Services, Inc. (“Client Services”) is a foreign company whose principal business is the collection of consumer debts. It regularly collects or attempts to collect debts owed or due or asserted to be owed or due another. It has been engaged by multiple creditors to do so. Client Services is a “debt collector” as defined by 15 U.S.C. § 1692a(6).

Facts

5. In March, 2009 Client Services wrote Ms. Trulove attempting to collect an alleged debt.
6. Ms. Trulove exercised her rights under the FDCPA and chose not to have any further contact with Client Services.
7. Ms. Trulove had her attorney, Jennifer S. Baker of DNA-People's Legal Services, Inc. write to Client Services and request that it cease all communications with her.
8. Client Services received that letter from Ms. Baker on April 11, 2009.
9. Despite knowing that Ms. Trulove was represented by an attorney, and knowing that Ms. Trulove had requested it cease all communication, Client Services sent her another letter December 16, 2009, attempting to collect the debt.
10. Client Services' actions constitute the transaction of business within New Mexico.
11. As a result of the actions of Client Services, Ms. Trulove suffered actual damages, including lost time, embarrassment, inconvenience, aggravation, and humiliation.

Claim for Relief: Violations of the FDCPA

12. The foregoing actions of Defendant violates the FDCPA, including 15 U.S.C. § 1692c.
13. Plaintiff is entitled to recover statutory damages and actual damages, plus costs and reasonable attorney fees.

Second Claim for Relief: Violations of the Unfair Practices Act

18. Defendant is subject to the Unfair Practices Act for its business conduct in New Mexico.
19. The foregoing actions of Defendant constitute unfair or deceptive trade practices, within the meaning of the New Mexico Unfair Practices Act, NMSA 1978 § 57-12-2(D).
20. Defendant willfully engaged in these unlawful trade practices.
21. Plaintiff is entitled to recover actual or statutory damages, actual or statutory damages

trebled, plus costs and reasonable attorney's fees.

22. Plaintiff is entitled to injunctive relief to prevent irreparable injury that will result from continued collection activities.

WHEREFORE, Plaintiff prays that this Honorable Court:

- A. Award statutory and actual damages for Defendant's violations of the Fair Debt Collection Practices Act;
- B. Award statutory or actual damages, trebled, for Defendant's violations of the Unfair Practices Act;
- C. Award costs and reasonable attorney's fees;
- D. Award costs; and
- E. Grant such other relief as it deems just and proper.

Respectfully submitted,



Jennifer S. Baker
DNA-People's Legal Services, Inc., Attorneys for Plaintiff
709 North Butler Avenue
Farmington, NM 87401
jbaker@dnalegalservices.org
(505) 325-8886

Richard N. Feferman
FEFERMAN & WARREN, Attorneys for Plaintiff
300 Central Ave., SW, Suite 2000 West
Albuquerque, NM 87102
rfeferman@msn.com
(505) 243-7773